

E-file

Date of Deposit: September 4, 2008

Attorney Docket No.: 16534-539001US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT : Stuart B. Levy et al.                      CONF. No.      8952  
SERIAL NUMBER : 10/692,764                      EXAMINER : Kimberly A. Makar  
FILING DATE : October 24, 2003                      ART UNIT : 1636  
FOR : METHODS OF USING SUBSTITUTED TETRACYCLINE COMPOUNDS TO  
MODULATE RNA

**Mail Stop AF**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

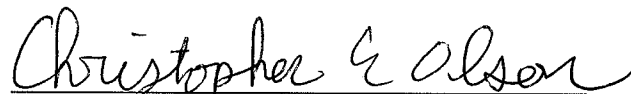
**NOTICE OF APPEAL**

Pursuant to 37 C.F.R. §1.191, Applicant hereby appeals to the Board of Patent Appeals and Interferences from the Examiner's March 4, 2008 Final Office Action in the above-identified application. With this submission, the fee of \$510.00, as required under 37 CFR 41.20 (b)(1) is submitted.

Applicants have concurrently filed a petition and fee for a three-month extension of time. With the extension, this Notice of Appeal is due on or before September 4, 2008.

The Commissioner is authorized to charge any additional fees that may be due, or credit any overpayment to Deposit Account No. 50-0311, Reference No. 16534-539001US. The undersigned is authorized to act on behalf of the Applicant under 37 C.F.R. §1.34.

Respectfully submitted,



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Dated: September 4, 2008